

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

STEVEN CRAWFORD

Case No. 3:08-cv-233

Plaintiff

District Judge Thomas M. Rose  
Chief Magistrate Judge Michael Merz

vs

JEFFREY E. FROELICH, et al.,

Defendants

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ENTRY AND ORDER DENYING PLAINTIFF'S MOTION FOR RELIEF (DOC. #5)  
OVERRULING PLAINTIFF'S OBJECTIONS (DOC. #5) TO THE CHIEF MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #3) DISMISSING PLAINTIFF'S  
COMPLAINT WITH PREJUDICE, TERMINATING CASE.

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This matter comes before the Court pursuant to Plaintiff's pleading (Doc. #5) which moves the Court for relief from and objects to the Chief Magistrate Judge's Report and Recommendations and Order (Doc. #3).

On July 3, 2008, the Chief Magistrate Judge issued an Order finding that Plaintiff was a prisoner and a full filing fee would be collected. In that same document, the Chief Magistrate Judge recommended that Plaintiff's complaint be dismissed after screening of Plaintiff's Complaint under both 28 U.S.C. §§1915 A and 1915(e)(2).

The Plaintiff moves the Court for relief from that Court order under Fed. R. Civ. P. 60(b) arguing that he is not a "prisoner" under 28 U.S.C. §1915. The Court finds said Motion not well-founded and DENIES same.

The Plaintiff also objects to the Chief Magistrate Judge's Report and Recommendations that recommends dismissal of said complaint. The Court has reviewed the comprehensive findings of the Chief Magistrate Judge and pursuant to 28 U.S.C. §636(b) and Fed. R. Civ. P. 72 (b), this Court has made a de novo review of the record in this case. Upon that consideration, the Court finds the Plaintiff's Objections (Doc. #5) are not well taken and are hereby OVERRULED.

The Court ADOPTS the Chief Magistrate Judge's Report and Recommendations (Doc. #3) in its entirety ordering that Plaintiff's complaint be DISMISSED with prejudice. This case is terminated.

IT IS SO ORDERED.

July 25, 2008

**\*S/THOMAS M. ROSE**

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Thomas M. Rose, Judge  
United States District Court